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ABSTRACT

Findings from a U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention-sponsored project, Using the Law to Improve School Order and Safety, are reviewed in this conference report. The conference agenda included presentation of the purpose, activities, and results of the project; reactions from a participating principal; and small-group discussion sessions. Findings supported the hypothesis that a feeling of ownership of order and safety policy was both important and absent in the experimental schools. Other findings indicated an inadequate knowledge of discipline and safety law; counterproductive views of the role of law; ineffective discipline administration; and the importance of the principal, parental, and community roles. Recommendations are made in the following areas: federal and state policy; parental roles; the school/community partnership; directions for research; dissemination strategies; and teacher training. A model school safety and order program is outlined. (21 endnotes) (LMI)

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SCHOOL SAFETY AND THE LAW

Proceedings of the School Safety and the Law Conference
May 2-3, 1991

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SCHOOL SAFETY AND THE LAW

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The National School Safety Center, in cooperation with the University of Illinois at Chicago, convened the first ever School Safety and the Law conference to review the multi-year research findings of the OJJDP-sponsored project called Using the Law to Improve School Order and Safety, and to develop policy recommendations from them. To do this, experts on the subject from throughout the nation gathered at Westlake Village, California for a day and a half.

The main features of the conference agenda (see Appendix) were:

1. Presentation of the purpose, activities and results of the Using the Law to Improve School Order and Safety project by the University of Illinois at Chicago research team;
2. reactions and assessment from the principal of one of the participating Chicago public school experimental sites; and
3. small group sessions focused on developing (a) recommendations for federal and state policy; (b) parental roles and responsibility for improving school order; (c) effective school law/community partnerships; (d) research directions for improving school order; (e) dissemination strategies; and (f) implications for teacher/administrator training.

The conference participants (see Appendix) represented a wide range of locales and professional positions. Included were lawyers, school superintendents, school principals, school central office safety administrators, professors, university administrators, representatives of organizations for school safety and school resource officers. Also included were representatives of the U.S. Office of Education and the U.S.

Department of Justice Office of Juvenile Justice and Delinquency Prevention.

Review of Project Theory, Activities and Research Findings
Hypotheses

The guiding principles behind this project were grounded in several hypotheses. The most important of these follow. The first was that the law (statutes, school board regulations, state and federal court decisions) affecting order is generally unknown and/or misunderstood by educators. This causes inconsistent and often counterproductive policies and activities for controlling school order and safety. Another hypothesis important for the direction of this project was that district-wide discipline codes developed for uniform use throughout all the schools of large districts would not be maximally efficient and effective in meeting the diverse needs of individual schools. Related to this hypothesis was the view that in order for discipline policy and procedures to be effective and efficient within any particular local school, a sense of psychological ownership of discipline and safety policy among all groups (faculty, administration, parents, students) concerned with and affected by school discipline, order and safety would be required.

Findings

It was found that the order and safety rules and procedures governing the experimental schools had been imposed upon them by the school district central bureaucracy. The motivation for the development of a district-wide Uniform Discipline Code was not even the felt need for it on the part of central school

administrators. Rather, the school board had been ordered to develop a district-wide uniform discipline code as part of a court order settling a desegregation suit brought by the U.S. Department of Justice against the Chicago Board of Education.¹ The intent was to insure that minority students received fair and lawful treatment in regard to discipline policies and resultant penalties. Local school representatives were only minimally involved in the development of this code, and it was found that the code did not have a very constructive or even important role in school discipline. Indeed, not only was it found that the hypothesis regarding poor knowledge of school order and safety law was correct, but the same was also true of poor educator awareness and knowledge of the Chicago Uniform Discipline Code.² Students, as would be expected, had even less knowledge and greater confusion about discipline law and regulations than was true for teachers. Administrators, while better informed than teachers, were still found not to be very knowledgeable about school law.

These findings lent support to the hypothesis that a feeling of psychological ownership of order and safety policy was both important and absent in the experimental schools. Not only were staff poorly informed about the discipline code, but they were also unenthusiastic about it, and considered it little more than part of the limitless bureaucratic harassment and distraction from teaching foisted upon them.

Project Experimental Design and Activities

The development work began with the formation of a steering committee composed of representatives of parents, teachers and administrators of the two experimental schools. The role of the steering committee was to develop a draft of a local school discipline code, within the framework permitted by the Chicago Uniform Discipline Code, that would be submitted for approval by all faculty and parents of the schools. Students were to be consulted, and their opinions considered in determining the final content of the code.

Steering Committee members participated in the study of school law, discipline policy and related matters before beginning work on development of a local school code. Once that was done, code development began with a consideration of local data about discipline conditions at each school, most of which was the first organized information on school discipline that any steering committee members had ever seen. The Committee decided that conditions and characteristics of the two experimental schools were so similar that one code should suffice for both schools. Some of the most interesting events during the process of code development were the following items:

*Steering Committee members were hesitant about imposing strong discipline measures because of fear of parent suits of teachers or teacher dismissal by the school board. This stimulated research on the subject by project investigators. A study using the WESTLAW computer research system reviewed the records of the Illinois and Seventh Circuit federal courts on

this matter during the 1984-87 period. The results provided conclusive evidence that, contrary to the views of teachers, both Illinois and federal courts strongly supported teachers in their efforts to provide forceful discipline in the schools.³

*Staff and parents strongly believed in the value of a school dress and grooming code as an important attribute for improving school discipline, but held the opinion that the law did not allow a dress and grooming code to be imposed. It was then made clear that the Uniform Discipline Code itself allowed dress and grooming regulations, and that a recent Illinois court decision⁴ found in favor of a school regulation barring male students from wearing earrings on the grounds that they were a gang symbol, and which conflicted with the school's goal of keeping gang influence out of the school.

*Teachers and administrators were convinced of the need to have an in-school suspension alternative to out-of-school suspension. The problem was that staff and space limitations militated against providing such a program. The result was that the faculty at one experimental school voted to accept more students per class than provided in the collective bargaining contract in order to free one teacher to staff an in-school suspension program. They imposed one condition - - that the teachers themselves would select the teacher for that position. This was agreed to by the principal. School management juggled space allocations to provide a room for in-school suspension, and the program was established. Soon afterward, the other experimental school did the same.

Important code policies being considered were periodically checked with the faculties and parents of the experimental schools, and then, when the draft was completed it was circulated to all faculty and parents. Teachers were asked to review the draft with their classes and report student suggestions to the steering committee. Meetings were held with both faculties and parents from both schools. After providing a sufficient time for these groups to review the draft, general meetings were held to receive comments and suggestions. The final step was approval of the code, paving the way for implementation. It was decided at that time that copies of the code, ultimately titled "Manual of Rules and Procedures for Improving School Order and Safety," (see Appendix) would be delivered to every parent and student. Parents were asked to sign a statement that they had received the code and intended to support it.

Major Elements of the Manual

One of the most important concepts in the Manual is that behavior should have clear and predictable consequences. Therefore, rules are stated, followed by the consequences that will result from violation. Another major principle is that every teacher must be a discipline educator. It was firmly believed that school discipline was only as strong as the weakest teacher. Discipline throughout the school depended on every teacher. Teachers were to develop their own classroom discipline rules, consistent with the Manual and the Uniform Discipline Code, develop units on discipline education, and to devote class time to teaching discipline. The Manual also provided basic

information on student civil rights, and legal responsibilities and rights afforded to students, educators and parents, including clear due process guidelines for students accused of misbehavior.

In order to institutionalize the concept of involving all affected groups in discipline policy and procedures, three procedures were put into effect. One was for an annual report on the state of school discipline, order and safety. This report was to summarize all reported infractions and related order and safety problems, and present the information in a format that would be both understandable and useful to parents, teachers and students. This would provide the required background for the second procedure, which provided for annual review and updating of the Manual. The process of bringing the concerned groups together for reviewing the data on discipline and safety and proposing changes in the Manual consistent with that information would serve both to keep the Manual effectively updated and to maintain the "psychological ownership" over discipline and safety shared by the constituent groups.

A final procedural element was the establishment of a School Discipline Council, chaired by the principal or his designate. The Council is composed of three teachers, two parents and two students. It meets on a monthly basis and at such other times as is required. Among the responsibilities of the Council are periodic assessment of the condition of school discipline, and taking leadership in the annual review of discipline, order and safety and subsequent Manual revision. The Council also serves as a review board on controversial or particularly difficult

discipline cases. The Council makes recommendations to the principal for final disposition of the case. Again, one reason for the existence of the Council is to strengthen the authoritative and responsible democratic involvement of all groups concerned with school order and safety in its policy development and execution.

Responses to Initial Project Research Findings

Inadequate Knowledge of Discipline and Safety Law:

Educators, particularly teachers, and to a lesser degree, administrators, had a low level of knowledge about the law governing school discipline, order and safety. This includes all forms of law, from statutes and case law to school district regulations. The response taken to this finding was intensive and extensive schooling in the law affecting school discipline, order and safety for the steering committee, inclusion of legal information in the Manual for all parents and students, in-service sessions on school law and discipline for teachers, and similar programs for parent groups.

Counterproductive Views of the Role of Law: Educator misunderstandings about the law included the incorrect view that the law generally favored students and parents over the school in matters of school discipline, order and safety. This was disproved by the previously noted WESTLAW research on Illinois and seventh federal circuit decisions. Additionally, U.S. Supreme Court decisions such as New Jersey v. T.L.O.⁵ and Bethel v. Fraser⁶ were presented to show the increasingly conservative support favoring school control and authority over students that

is the clear trend within the current Court majority. Information was also provided regarding the legislation popularly known as the Illinois "Safe Schools Act." This legislation increased the penalties for assault and battery committed on school grounds or against persons known to be school employees. Another statute provided for the automatic transfer of minors from juvenile to criminal court for charges of weapons violations on school property. Other statutes, such as one giving teachers authority to remove disruptive students from their classrooms and the requirement that principals must report all incidents of intimidation to the police within 24 hours were also presented to refute the mistaken notion of legal support for unsafe, undisciplined schools.⁷

Additionally, educators and parents were given national samples of school discipline court decisions. Zirkel reviewed court cases related to school staff victimization, and concluded that "the courts have generally been supportive of the victims."⁸ He also reported the following strengthened state laws and school board policies to secure safe and orderly schools:

*California's educational and criminal codes make it a misdemeanor for any person to "fail to leave a public school building or public school grounds promptly upon the request of the principal . . . or the [principal's] designee."

*Another California statute makes it a crime for any parent or other person to "materially disrupt classwork or extra-curricular activities or [cause] substantial disorder" in a place where a school employee is engaged in his or her employment duties."

*Phoenix (Arizona) High School District 210 requires the following when a staff member is assaulted: (1) prompt reporting of the incident to the administration; (2) automatic suspension when the assailant is a student, pending a parent-teacher-principal conference; (3) reasonable assistance to the staff member in dealing with law enforcement and judicial authorities;

and (4) full pay during time lost, without being charged against the staff member's salary or sick leave.⁹

Inefficient Discipline Administration: School discipline policy had many dysfunctional features. For example, it was found that many discipline infractions were ignored by school authorities. In other cases, the infraction was noted, but no action was taken in response to it. Finally, the most serious and most frequent offenses were often those that most commonly resulted in no action being taken. It was determined that there were several reasons for this. One was that there were poor means of communicating discipline-related information to school personnel, and there was mostly inadequate or misleading information available. This poor communication created lack of awareness among individuals about the state of school discipline. Also, teachers were rarely informed about the results of discipline referrals made to the office, producing a general teacher attitude that little attention was paid to teacher discipline referrals. Another significant reason for ineffective, and often counterproductive, discipline administration was that there were insufficient staff and facilities for that purpose.¹⁰

The responses to this general problem was to develop a more efficient system of discipline administration, including improved record-keeping, responsiveness to teacher discipline referrals, and distribution of discipline information to all concerned groups. The single most important change was creation of an in-school suspension program staffed by very capable personnel, who not only insured that misbehaving students were kept busy with

productive school work, but also kept close touch with their parents and teachers. This was made possible by teachers accepting larger class sizes. As teachers began receiving feedback about discipline conditions, as well as the dispositions of the discipline cases referred by them, the school climate became much more conducive to improved discipline.

Contrary to expectations, imposition of these improvements led to a significant increase in reported discipline infractions in the following year. Upon investigation, it was found that the reasons for this was the greater propensity of teachers to report infractions now that they felt that referrals would not be ignored, and because they now had clear knowledge and understanding of school order and safety rules and regulations. Equally important, teachers felt they were responsible members of the new discipline system. The school was far safer and more orderly during that year of increased referrals than was the case in previous years.

The Key Role of the Principal: It was found that the quality of leadership exerted by the principal was a critical factor in the quality of discipline administration and control within a school. Those principals who indicated by word and action that they valued and would demand good discipline, had good records of order and safety in their schools. The example set by the principal acts as a role model for teachers in regard to maintaining order and control in the school.

When teachers see that the principal is (1) willing to spend time and emotional energy to instill a climate of good discipline

in the school, (2) supports teachers in regard to keeping order, and (3) will not always seek the easiest way out of a difficult discipline problem, students, parents and staff generally respond in positive ways. By the same token, there is nothing as detrimental to good discipline than when a teacher puts his or her reputation and dignity on the line in a discipline referral to the principal, only to be betrayed by a principal failing to impose a proper consequence because he or she does not want to face an angry parent, show more discipline cases on the school record, or take the time with required paperwork attending the imposition of a particular disciplinary consequence. The differences among the state of discipline in the four project schools, all with very similar socio-economic conditions, was striking. The major reason for the differences were clearly attributable to the differences in the administrative styles and emphases of the respective principals of these schools.

Parental Support: It was the general consensus that the single most important need for improved school order and safety was effective parental cooperation and support.¹¹ The typical family of students attending the experimental schools was a single parent on public assistance. Many of these parents were also very young and uneducated, with negative personal school experiences. Parents did not feel comfortable at the school or communicating with educators, many of whom held the parents responsible for the poor behavior and academic progress of their children.

Parents involved in this project brought other parents into active involvement in improving school order and safety. A parent room was established in one school to make the atmosphere more receptive to parent visits. Also, parents were required to attest that they were aware of and intended to support the Manual by signing and returning the form attached to the Manual. Most important, one experimental school began programs that rewarded parents by public recognition of their contributions to their children's behavior, attendance and academic performance. It became very clear that such recognition as being presented with a certificate at a school assembly was a very important means of reinforcing parental support and cooperation for the school.

Community Influences on School Order and Safety: It was in this area of research that the most important unanticipated finding was to emerge. The emphasis of the project was on improving the school's ability to control and reduce disorder, violence and victimization. Our thinking was that these were matters within the potential control of the school. All that was needed was better knowledge, organization and commitment of staff, along with enlisting the support of parents. To our surprise, we found that public schools located in crime- and poverty-stricken neighborhoods were islands of relative safety set in an ocean of danger represented by the communities they served. Indeed, the public school was among the safest, most orderly institutions within these communities. When school-connected crime and violence was viewed in a vacuum, it indeed appeared to be very bad. However, when it was compared to the

crime and violence occurring in the community it served, it appeared to be at a comparatively low level.

To illustrate, in one year, three project schools reported that almost three-fourths of students were cited for fighting with another student, 32 were charged with assault, 11 with criminal property damage, 10 with intimidation/coercion, 13 with theft, 16 with battery, and 3 with illegal weapon possessions. These figures suggest schools out of control. That image changes when one reviews the police criminal statistics for the beats encompassing these three schools. In those beats, during the same period, there were 10 murders, 3 cases of manslaughter/justifiable homicide, 43 aggravated criminal sexual assaults, 150 armed robberies, 775 batteries, 124 assaults, and 226 cases of criminal damage to property.¹²

There is additional evidence that leads to the conclusion that the major source of school disorder and danger lies more in the community than in the school itself. One experimental school is entirely surrounded by a Chicago Housing Authority public housing project (Rockwell Gardens) that has the worst record of criminal incidents and activities in the city. This caused the Chicago police, in cooperation with housing authorities, to conduct a "sweep" of the project, which, at least temporarily, rid the buildings of their worst criminal elements. The result on the school was startling. Attendance was up, tardiness was down, and discipline problems were sharply reduced.

This was not surprising in light of three years of student and teacher survey findings that conclusively indicated that both

teachers and students felt much safer within the school than on school grounds or in the community. Indeed, about a third of students consistently reported that they avoided the shortest route to school for fear of their personal safety. Teachers reported feeling safest within their classrooms and least safe when entering and leaving school grounds. Finally, there is the story of one of the parent members of the steering committee who led the mobilization of other parents to combat school and community criminality after one of her children was shot when caught in a gun battle between rival street gangs. Shortly after her efforts began to bear results, her public housing apartment was fire-bombed. The housing authorities then provided her with another apartment in a safer location. The school lost one of its most productive parent supporters and her drive to mobilize parents disintegrated.

A Principal's Response: Donald Moran, principal of one of the project's experimental schools reported on his successful efforts to organize the community for greater school order and safety. He led in the formation of the Rockwell Gardens Interagency Network, which includes representatives of the school, police, public housing, and all of the social service agencies serving the community (Salvation Army, Department of Children and Family Services, Public Assistance, etc.). This has resulted in improved service and responsiveness in regard to community needs, including safety and order. One particular result of network action is that the school area is now bounded by yellow signs posted at strategic points announcing that it is

a "Safe Schools Zone" and indicating the higher penalties for violations occurring on or near school grounds. Principal Moran reported that this has resulted in improved security around and in the school. He also suggested that inner-city schools will continue to be hampered in efforts supporting school order and safety as long as they are forced to choose between reasonable class size and in-school suspension rooms, as reported above. Further, he noted that improving conditions of order and safety is a necessary prerequisite to achieving the improved learning outcomes set by national policy. This view was recently reinforced by the statement of nationally respected policy analyst Amitai Etzioni, who, in criticizing the new Bush/Alexander school reform agenda for emphasizing more study and more tests, noted that this emphasis is misplaced because it overlooks a far basic need caused by the fact that "over half of our youngsters grow up in families that are not adequately instilling traits that are pedagogically essential . . . [because they have a] tremendous parenting deficit."¹³ In the same newspaper edition that carried Etzioni's column, there was a report of a local community protest over the planned closing of its public high school because, among other reasons, "it was dangerous in areas where students might be forced to cross street-gang boundaries."¹⁴

Conference Recommendations

After presentations by the project participants, conferees held small group discussions which produced the following recommendations in the discussion areas indicated.

Federal and State Policy

There must be clearer statements of government purposes, a well-defined strategy for accomplishing goals in funding for improving school order and safety, and better coordination of funding efforts. A primary source of guidance should be the National School Safety Center and its School Safety publication. It is considered to be the single best resource for information and policy direction in regard to school safety and the law. Another source of policy guidance recommended for government attention is the annual Gallup Poll on the public's attitudes toward public education commissioned by the Phi Delta Kappa educational fraternity and published annually in Phi Delta Kappan journal. Among the other specific recommendations for public policy related to improving school order and safety offered by this group were:

- *A focus on the earliest possible intervention;
- *programmatic emphasis on community involvement;
- *more intensive efforts at translation and dissemination of research results, with an emphasis on appealing, easy to understand formats (i.e., magazine formats, video tapes, Spanish language and other language versions);
- *more local-level action research, such as that which was reported on at the conference, which should result in a government action plan;
- *government should promote an urban school superintendents' network;
- *government should support cooperative efforts at improving school order and safety that involve parents, community, schools and colleges of education;
- *units should be developed for teacher in-service and pre-service training that focus on school security;
- *more demonstration projects should be funded by government; and

*the federal government should sponsor summer institutes at various locations throughout the nation for the purpose of staff development geared to improving school order and safety.

Parental Roles and Responsibilities

The major emphasis in this group was on helping school personnel realize that the parent is the first and most important teacher for every child. Therefore, the school must cooperate with parents in order to develop attitudes in children that are supportive of school order and safety. In order to accomplish this the school must make parents feel welcome in the school and give them a role in school decisions, including those affecting order and safety.

They must be listened to as well as spoken to. A critical aspect of developing productive parent roles and responsibilities is insuring positive contact between the school and the home. Among the specific suggestions related to parental roles were:

*"Parents don't care how much we know until they know how much we care;"

*encourage parent visits to the school;

*assume the "we" attitude rather than the "I" attitude;

*emphasize communication that is understandable and meaningful to the parent;

*develop programs for recognition of positive accomplishments by parents and families;

*keep parents well informed about both positive and negative events concerning their children;

*develop programs where parents can help other parents;

*provide services to parents, such as literacy training, child development, and other needs that they may have;

*make parents welcome in the school by providing a "parent's room" in the school and a "parent's chair" in each classroom;

*involve parents in planning workshops that help them and their children, with parents having a say in the topic and how it is to be presented; and

*take leadership in developing a network with other agencies that can meet the needs of parents in regard to the education of their children.

Developing an Effective School/Law/Community Partnership

The main points of emphasis in the deliberations of this group was on (1) identifying needed information and then seeing to it that it was properly disseminated, and (2) developing cooperation between educators, justice system representative and community leaders in promoting legislation and community action programs that support school order and safety. It was recommended that a national taskforce is needed to do a needs assessment and propose a program of action in this area.

Additional recommendations included:

- *Develop a resource list of existing law-related curricula;
- *teach key personnel about the criminal justice system;
- *improve mutual understanding and information-sharing between educators and law enforcement officials;
- *involve the local police in the school curriculum;
- *reward site administrators who exhibit success at controlling school order and safety; and
- *develop shared responsibility, funding and accountability of all parties in a school/law/community partnership aimed at improving school order and safety.

School Safety Challenges - The Lawyer's Perspective

As might be expected, a major theme in this group meeting was the need for educators to be better informed about the law affecting school order and safety. However, discussion went

beyond the mere "letter of the law." Specific recommendations included:

- *Work to abolish educational immunity from liability so that educators and school boards will take more seriously their responsibility for school order and safety;
- *develop better understanding of special education law to improve responses taken to behavior disordered students;
- *involve parents in developing model discipline codes;
- *write notices of rights and responsibilities in simple language and format, so that they can be readily understood by parents and students;
- *creative alternatives to brute force must be developed for discipline management, as brute force effects conformity, but does not improve discipline;
- *attention must be paid to teacher discipline, along with student discipline;
- *consideration must be given to pairing appropriate teacher and student personalities to insure optimum discipline; and
- *develop district "SWAT Teams" to respond to difficult school situations.

Research Directions for Improving School Order and Safety

This group stressed the need to translate research into action. It was recommended that this can best be done by integrating research with demonstration projects, and seeing to it that research was conducted at the operational level. Related to this was the need to improve dissemination by decentralizing the process through regional channels and improving communication practices. Additional research recommendations included:

- *Develop a "What Works?" document similar to others produced by the U.S. Office of Education;
- *balance research about deficiencies with research that identifies strengths to be capitalized upon;
- *there should be dissemination coordination through a research clearinghouse;

- *get teachers involved in school order and safety research;
- *evaluation research is needed on the effects of statutes and court decisions on school discipline; and
- *there should be more networking in the field of discipline research.

Dissemination Strategy Development

This group concluded that the most urgent needs in the area of development of a school law and safety dissemination strategy were (1) information on what resources are available throughout the nation and (2) the establishment of priorities regarding dissemination efforts. Specific recommendations were:

- *Expand the activities and resources within the purview of the National School Safety Center;
- *Make better use of the media, including press releases and the public broadcasting system;
- *Develop priorities among the following dissemination targets - professional organizations, government organizations, justice system agencies, schools and colleges, school boards, parent associations, opinion leaders, elected officials, the public at large, and others interested or influential in school order and safety; and
- *develop a national or local hot line for educators to get immediate help or information on pressing discipline and safety problems.

Implications for Teacher/Administrator Training

Emphasis was placed upon the need to include training in school order and safety in both pre- and in-service teacher training programs. In regard to this major theme, the following suggestions were offered:

- *Bring teacher training more in line with the reality of classroom management in inner-city schools;
- *in pre-service education, colleges should employ practicing professionals as adjunct professors to update new teachers about school order and safety needs; and

*trends in teacher education (decline in minority/lower SES teacher candidates, decreases in required pedagogy courses) will require greater efforts at sensitizing new teachers and administrators to the order and safety demands of inner-city schools located in poor, high crime areas.

RECOMMENDATIONS

National Policy Recommendation

If there is any one single factor suggesting an improved change of focus for national policy in support of improving school order and safety, it is this: School order and safety must be addressed within the context of the community in which the school is set. This is patently evident, but policy is seldom directed toward this simple truth, probably because demanding that teachers and administrators improve their performance, whether in producing academic or discipline results is more politically palatable than focusing on the need to improve the total life circumstances of the urban poor, particularly those from minority groups.

Why is it that schools serving upper middle class populations produce the best learning outcomes? Why is it that the staffs of these schools can provide a much safer and orderly school climate than can the teachers and administrators of inner-city schools? Is the answer that all the best teachers and administrators are employed in the more advantaged communities with the least able teachers and administrators going into urban school systems?

The reason that schools in upper middle class communities are safer, more orderly and produce better-educated students is found not in the characteristics of the educators but in the

characteristics of the students and their total environment. To quote Etzioni again, but more fully this time:

Plans to reform our schools overlook that about half of our youngsters grow up in families that are not adequately instilling traits that are pedagogically essential. . . . Many homes [have] a tremendous parenting deficit. Instead of providing a stable home environment and the kind of close, loving supervision that character formation requires, many child-care arrangements simply ensure that children will stay out of harm's way. As a result, personality traits essential . . . are often lacking. Children come to school without self-discipline, and they cannot defer gratification.¹⁵

Because Etzioni recognizes that "a transformation in child-care policy among the many millions of families involved is unlikely" he retreats into the usual route for amelioration of this serious problem by recommending that "schools must step in. And they ought to start earlier, taking students, say at age 4, and remaining open longer during the day and into the summer to make up for some of the lost parenting." It is in this policy recommendation that we part company with Etzioni. The reason is that this is the usual solution that continues to fail. We notice that the schools are failing in one way or another, so our answer is to have more schooling or tinker with the organization or methodology employed by the schools. Although this approach has failed to yield significant results we continue the process. This is what educational historian Henry Perkinson referred to when he wrote: "Americans have had such faith in education that they have construed their schools as the panacea for all social political and economic problems . . . [such as] attempts to use the schools to solve racial problems, to provide equal

opportunity for all, to reconstruct our cities, and to ensure political greatness.."16

The time has come for national policy to take a more productive direction to improving the education and general personal development of poor and minority residents of our large urban centers. In reference to the problem of school order and safety (as well as those of underachievement, dropping out of school and related issues) the solution must come from comprehensively addressing the total environmental pathology in which these children live. The research reported on at this conference, and subsequent discussions by conferees clearly indicate that in reference to improving school order and safety, much of the solution lies beyond the scope and capacity of the school. Among the points made in this regard were calls for earlier intervention, more community and parental involvement - including provision of needed services to parents and the community, developing shared responsibility for school order and safety, and more interagency cooperation.

Principles Undergirding Recommended National Policy:

Building upon that start, it is recommended that a national government initiative be developed for improving school order and safety, along with improvements in student attendance, graduation and learning outcomes, that accepts the following facts:

*Children cannot be expected to learn or behave well in school when they exist in a pathological environment that includes (1) fear for their safety coming from and going to school; (2) inadequate nutrition, clothing and housing; and (3) inadequate parental supervision or support for their education.

*Parents cannot be expected to provide adequate support and encouragement for the education of their children when they

themselves (1) have had no personal positive experiences with schools or other agencies of government; (2) lack the skills and finances to provide an adequate environment for study; and (3) exist in a marginal condition where uncertainty about income, physical safety and other expectations, taken for granted by the middle class, are generally lacking. -

*Teachers cannot be expected to be successful at their work when (1) their students come to school emotionally upset, hungry, tired or frightened; (2) they themselves are frightened when coming to or leaving the school building; and (3) school resources along with parental and community support are insufficient to educational needs.

Acceptance of these facts, it is recommended, should lead to program(s) developed and executed according to the following principles.

*Schools cannot be expected to succeed without the active cooperation and support of other government and private agencies. School failure, as well as school success, must be seen as general government and societal success.

*Schooling policy must be reorganized in such a way that the total environment is considered and accounted for as part of the educational prescriptions for students. Family and home conditions must be adjusted to be supportive of each child's education. This will involve providing support and services to parents in helping them gain requisite skills and opportunities for economic independence and better social adjustment. Parents and others in the community must become positively involved in the education of the young.

*Educators working in disadvantaged, crime-ridden communities must receive adequate human and material support that properly recognizes the challenges they face. Inner-city schools should not have to choose between excessive class sizes and having an in-school suspension program as was true in the Using the Law to Improve School Order and Safety project, while suburban schools have both, along with many additional services not even considered possible in schools serving the urban poor.

*All levels of government, from the national level to the city ward level must be involved in this enterprise, along with private agencies and volunteer organizations.

Relation to America 2000

The above recommendations restate conclusions and attitudes found in the published writing and OJJDP reports of the Using the

Law to Improve School Order and Safety research and development staff for several years. It is important to note that this recommendation happens to coincide with the "America 2000: An Education Strategy" proposal, supported by the national government, along with the governor's of the states. In particular, it is consistent with the fourth part of the general strategy of America 2000, which is:

For schools to succeed, we must look beyond their classrooms to our communities and families. Schools will never be much better than the commitment of their communities. Each of our communities must become a place where learning can happen.¹⁷

The consistency between America 2000 and the research findings and subsequent recommendations of Using the Law to Improve School Order and Safety continue with America 2000 noting that:

*For too many of our children, the family that should be their protector, advocate and moral anchor is itself in a state of deterioration.

*For too many of our children, such a family never existed.

*For too many of our children, the neighborhood is a place of menace, the street a place of violence.

*Too many of our children start school unready to meet the challenges of learning.

*Too many of our children arrive at school hungry, unwashed and frightened.

*And other modern plagues touch our children; drug use and alcohol abuse, random violence, adolescent pregnancy, AIDS and the rest.¹⁸

Finally, America 2000 has as one of its six goals that "Every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning."¹⁹ And in order to achieve that goal, and the others stated, it is recognized that "Schools can contribute to the easing of these conditions But they cannot do it alone."²⁰

Clearly, the time has come when it is both urgent and feasible to develop policy initiatives that address the conditions of the entire community when responding to the educational needs of the young.

Program Outline

The model program suggested by our research and the results of the School Safety and the Law conference has these elements:

*Parents participate in learning activities at the same institution as their children. These activities are geared to developing job and life-coping skills that the parents may lack.

*Parents have counselors just as do their children. Counselors help in both family and personal adjustment problems as well as for job placement.

*Parents and students share responsibilities for the maintenance and security of the school building, for which they receive appropriate stipends. These responsibilities include meal preparation and serving, cleaning halls and classrooms, acting as security guards and hall monitors, painting inside and outside walls, making simple repairs, staffing supply and book rooms, and similar work helpful to the school. Other tasks and responsibilities may involve work in the community, as help for senior citizens and invalids, cleaning streets and parks, and neighborhood security watches.

*In every school, discipline is taught just as is reading, mathematics and other subjects. The same basic principles and language is conveyed to both students and parents, but in appropriately different contexts.

*In addition to teaching discipline, every class teaches law, as it influences and relates to school and community order and safety. This instruction emphasizes the development of positive attitudes toward the law, along with providing legal information.

*Every school will have its own code of conduct, rights and responsibilities, that is developed by representatives of all school groups (parents, teachers, administrators, students, community representatives). It will conform to the broad outline of authority provided by the district, but will respond to individual needs, conditions and values.

*Any community resident may apply for participation in the "school." However, each community enrollee must pay his or her "tuition," whether in the form of service to the school or to the community.

*The hours of operation for the school vary in accordance with student needs. As with some current community colleges, the school may be open from 7:00 a.m. until 10:00 p.m. as well as Saturday. In some cases, the hours may be longer, and even include Sunday classes.

*Faculty will be diverse. There will be traditionally certified teachers for students moving through elementary and high school. There will also be teachers for adults, returning dropouts and other non-traditional students, whose credentials are established by what they know and the skills that they possess that is attractive to learners.

*The principal will be hired and evaluated by an elected council composed of parent, community and faculty representatives, and will serve under four-year contracts. The principal will recommend staff applicants to the council, which must approve them. The council will not be able to approve staff hires without prior recommendation by the principal.

*The council will be required to become actively involved in a community service network allowing for a comprehensive response to community/school order and safety problems, as well as personal needs of students and families. If no such network exists, the principal will be responsible for taking the initiative to start one.

*In-service training will be an important, regular activity for staff. Council members will be expected to participate in most in-service development activities. Research issues will be part of the in-service program, in terms of both absorbing research information and active participation in local research conducted by administration and staff.

*In each school, it will be recognized that there are informal sets of student-teacher arrangements that allow teaching to occur, and for each group to be comfortable within the school setting, regardless of rules and various external conditions.²¹ Using the America 2000 plan, research can be conducted to ascertain whether the informal organization can be better used to encourage positive, constructive approaches to school order and safety. Such research should establish and study administrative arrangements that do not rely on the traditional modes of operation. It may be necessary to alter the accepted power/authority relationship in student-teacher interaction. This can lead to developing models for school order and safety based on new conceptualizations of power/authority relationships in schools. This item particularly addresses the America 2000 goal of insuring that "Every school in America will be free of

drugs and violence and will offer a disciplined environment conducive to learning."

REFERENCES

1. U.S. v. Board of Education of the City of Chicago (1980) No. 80 C5124
2. J. Menacker, E. Hurwitz & W. Weldon, Legislating School Discipline, Urban Education, 23:1, April, 1988.
3. J. Menacker, Teacher Fears of Parents Suits and School Board Dismissals for Discipline Actions: Are They Justified? NOLPE Notes, 23:2, February, 1988.
4. Oleson v. Board of Education of District 228 (IL), 627 F. Supp. 820 (1987).
5. 469 U.S. 325 (1985).
6. 106 S.Ct. 3159 (1986).
7. J. Menacker, Getting Tough on School-Connected Crime in Illinois, Education Law Reporter, 51:2, March 30, 1989.
8. P.A. Zirkel, Staff Victimization: A Legal Look, School Safety, Spring, 1991, p. 33.
9. Ibid. Also see J. Menacker, The Supreme Court and School Discipline Policy, Educational Policy, 4:1, March, 1990.
10. Legislating School Discipline.
11. J. Menacker, E. Hurwitz & W. Weldon, Parent-Teacher Cooperation in Schools Serving the Urban Poor, The Clearing House, 62, November, 1988.
12. For a full review of this concept/issue see J. Menacker, W. Weldon & E. Hurwitz, Community Influences on School Crime and Violence, Urban Education, 25:1, April, 1990, and J. Menacker, W. Weldon & E. Hurwitz, School Order and Safety as Community Issues, Phi Delta Kappan, 71:1, September, 1989.
13. A. Etzioni, First, educate the reformers, Chicago Tribune, Tuesday, July 9, 1991, Sec. 1, p. 15.
14. Schools, Chicago Tribune, July 9, 1991, Sec. 2, p. 6.
15. Etzioni, First, educate the reformers.
16. H. Perkinson, The American Panacea, 3rd ed., New York: McGraw-Hill, 1991, preface to third edition.
17. America 2000: An Education Strategy, Washington: U.S. Department of Education, 1991, p. 3.

18. Ibid., pp. 6-7.

19. Ibid., p. 9.

20. Ibid., p. 7.

21. W. Weldon, J. Menacker & E. Hurwitz, The Anomaly of Teacher-Student Contentment under Adverse Circumstances, The Educational Forum, Spring, 1989.